

Pro Se 1 (Rev. 12/16) Complaint for a Civil Case

## UNITED STATES DISTRICT COURT

for the

Eastern District of Virginia

Newport News Division

FILED

JUN 25 2018

CLERK, US DISTRICT COURT  
NORFOLK, VA

Mr. Alex Gordon

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Federal IT Consulting  
1700 Rockville Pike, Suite 458  
Rockville, MD 20852 et al;

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Case No.

4:18 CV 78

(to be filled in by the Clerk's Office)

Jury Trial: (check one)



Yes



No

## COMPLAINT FOR A CIVIL CASE

## I. The Parties to This Complaint

## A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	Alex Gordon
Street Address	802 Greystone Trace
City and County	Newpeort News
State and Zip Code	Virginia 23602
Telephone Number	(757)472-5656
E-mail Address	ac_gordon@hotmail.com

**B. The Defendant(s)**

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title *(if known)*. Attach additional pages if needed.

**Defendant No. 1**

Name	Federal IT Consulting .et al
Job or Title <i>(if known)</i>	
Street Address	
City and County	1700 Rockville Pike, Suite 458
State and Zip Code	Rockville, MD 20852
Telephone Number	
E-mail Address <i>(if known)</i>	

**Defendant No. 2**

Name	
Job or Title <i>(if known)</i>	
Street Address	
City and County	
State and Zip Code	
Telephone Number	
E-mail Address <i>(if known)</i>	

**Defendant No. 3**

Name	
Job or Title <i>(if known)</i>	
Street Address	
City and County	
State and Zip Code	
Telephone Number	
E-mail Address <i>(if known)</i>	

**Defendant No. 4**

Name	
Job or Title <i>(if known)</i>	
Street Address	
City and County	
State and Zip Code	
Telephone Number	

E-mail Address *(if known)* \_\_\_\_\_**II. Basis for Jurisdiction**

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? *(check all that apply)*

☐ Federal question

☒ Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

**A. If the Basis for Jurisdiction Is a Federal Question**

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

N/A

**B. If the Basis for Jurisdiction Is Diversity of Citizenship****1. The Plaintiff(s)****a. If the plaintiff is an individual**

The plaintiff, *(name)* Alex Gordon, is a citizen of the  
State of *(name)* Virginia.

**b. If the plaintiff is a corporation**

The plaintiff, *(name)* \_\_\_\_\_, is incorporated  
under the laws of the State of *(name)* \_\_\_\_\_,  
and has its principal place of business in the State of *(name)* \_\_\_\_\_.

*(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)*

**2. The Defendant(s)****a. If the defendant is an individual**

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The defendant, (name) \_\_\_\_\_, is a citizen of  
the State of (name) \_\_\_\_\_. Or is a citizen of  
(foreign nation) \_\_\_\_\_.

b. If the defendant is a corporation

The defendant, (name) FEDERAL IT CONSULTING, is incorporated under  
the laws of the State of (name) Maryland, and has its  
principal place of business in the State of (name) Maryland.  
Or is incorporated under the laws of (foreign nation) \_\_\_\_\_,  
and has its principal place of business in (name) \_\_\_\_\_.

*(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)*

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because *(explain)*:

### III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

See Attachment 1

### IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

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Compensatory Damages, related to and including loss wages, loss of career opportunity, benefits and other opportunities for employment  
Punitive and Exculpatory Damages amount to be determined at trial  
Interest  
Attorney's fees  
Court Cost  
Any other and further relief as the court may find proper.

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**V. Certification and Closing**

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

**A. For Parties Without an Attorney**

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: \_\_\_\_\_

Signature of Plaintiff

Printed Name of Plaintiff

**B. For Attorneys**

Date of signing: \_\_\_\_\_

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Street Address

State and Zip Code

Telephone Number

E-mail Address

Attachment 1

Cause of Action #1/2 Discrimination/Harassment: On November 14, 2017, I accepted a position with write out FEDITC on a non-personal service contract as a Cyber Systems Security Subject Matter Expert. A statement of work (Exhibit A) was provided that outline my duties (Task 4.1.2/3 in exhibit A). The FEDITC Program Manager, served as my direct supervisor of record.

First day on-site, November 23, 2016. During our first interaction, The Site Lead questioned me about why I accepted the position. She stated that I should not be here and would be "better off" staying in my former position. "I should go back to my other position". I felt uncomfortable based on her tone, mannerisms, and open hostility. I shared the conversation with My other counterpart/Project Team Member on the project who had not been greeted in the same manner when he started on the assignment.

On Diverse occasions after our initial encounter up until termination, The Site Lead established a pattern open hostility towards me. For example, around November 29, 2016 November 29, 2016, publicly belittled by The Site Lead because I needed to spend a couple hours to conclude out processing with his former employer (as agreed upon by FEDITC during the hiring process) and a standard requirement when leaving a cleared position.

Other examples of The Site Lead's hostility included but were not limited to The Site Lead rebuking any offer of assistance on project task, yelling, beratement, belittled, public humiliation for incomplete task that were not assigned to me. Being cut me off if I attempted to speak. Being told to not speak or asking why I was talking. Being told by The Site Lead "she only talks to colleague and that I was not a colleague". Intentionally let off correspondence (emails and alike) sent to the rest of the team. Repeated request by The Site Lead for FEDITC to fire me without any justification immediately after I was hired.

Around the same period, I noticed that The Site Lead would simply not report to work for several days at a time. In other cases, The Site Lead would take breaks off site for several hours in length during the workday. One of these two scenarios occurred on a near daily basis. I addressed the concerns The Site Lead's attendance with other Project Team Members, who confirmed he also independently witnessed The Site Lead's questionable attendance practices.

Starting on Dec 9, 2016, and diverse occasion up to my termination IAW Company policy I complained of disparate treatment at the hand of The Site Lead and asked that it be addressed. Also, on January 9, 2016, IAW company policy. I reported The Site Lead's absences despite billing the government for full time work. During this interaction The Program Manager confirmed that The Site Lead had disclosed to The Program Manager that she did not wish to work with me; however, The Program Manager did not have a satisfactory explanation or justification for her demand. The Program Manager explained that he and The FEDITC Vice President, visit on site and insure that The Site Lead understood her role and expectations on professionalism in the workplace. I again expressed my desire that FEDITC resolve this issue as soon as possible. That same day, on December 9, 2016, my counterpart/Project Team Member on the project also reported The Site Lead's absences to VP. Neither VP nor The Program Manager took meaningful remedial action. In response to these expressed concerns, The Program Manager stated that



they were aware of the conduct but FEDITC was apprehensive about disciplining The Site Lead because of possibly damaging FEDITC's relationship with its federal agency client. I was told to hang in there.

#### Cause of Action#2 Retaliation

After making disclosure about The Site Lead's conduct and time keeping The Site Lead's hostility towards me intensified in retaliation for my disclosures. She began to withhold project information, communicate almost entirely through emails, I was excluded from meetings related to my work. She berated and verbally attacked me with increased frequency, at times directing me not to communicate with other individuals in the office. No meeting or remedial action was taken by FEDITC. No retaliatory action was taken against my counterparts by The Site Lead. Neither VP nor The Program Manager took meaningful remedial action.

Shortly after My disclosure my Project Team Members and I were task by the site lead to complete task to develop a document specifically called out in her job description on the contract. We were given a "like" document and asked to just cut and paste from it. After reviewing the document, it was evident that it was not on point with the deliverable expected, namely because it originated in a non-Air Force environment. The following day, The Project Team was instructed by a second Government employee, to wait for a more updated version of the document. This type of document typically takes several months to write even with a staff of five to six people. As promised, the more helpful template document was sent on the morning of January 16, 2016. Hours later, assumingly with knowledge that the new version had been sent to the team, The Team lead demanded an update specifically from me. The team and I informed The Team lead the team had recently received the document revised document. The Team lead proceeded to chastise me and became verbally abusive - claiming that the January 12, 2017 document was sufficiently on point to complete the work. I explained that the old document lacked in both substance and form. The Team Leads dissatisfaction was aimed at me rather than my counterparts.

On January 23, 2017, I contacted the Program Manager and renewed my concerns of disparate treatment and retaliation for disclosing fraud with The Program Manager. The Site Leads behavior. I also mentioned that the team had been given only four days to work on this document. I explained that I was not comfortable with the direction we were told to go in as it did not meet the requirements of the contract. I also informed him that I was asked to go home by the government personnel because I had the flu and that remaining team members would continue working on the document while I was out. Team members worked on the document over the course of the next three days 24-26 January 2017 Project team members informed me that The Site Lead was pleased with the progress but based in our discussions advised The Site Lead and other government customers to not submit the document yet because I did not agree with the content.

#### Cause of action # Defamation

On January 27, 2017 against my recommendations The Site Lead held a meeting in which a draft copy of the work done so far on the document. Later that day, The Site Lead entered the office along military personnel. Other project members were asked to leave asked to leave the room. The three of them approached my desk and stood around me. The Site Lead stated that today was my last day with FEDITC

and that I needed to stand up and give her my CCAC card. When I asked why she said I needed to talk to the company. I handed over my CCAC card. I was escorted down stairs and out of the building. The site lead knowingly made false malicious statements to the effect that she had been "Physically intimidated, physically barred from leaving the room while I became belligerent and threatening. (Angry Black Man)" This defamation was a continuation of the site leads campaign to have me fired based on the causes of actions listed above.

After leaving I contacted The Program Manager to advise him of what had taken place. The Program Manager informed me that he knew that I had done nothing wrong insofar as violating company policy or failed to meet obligations in the statement of work. He also indicated that at the behest of The Site Lead. I reminded The Program Manager that I did not work for The Site Lead. The Program Manager apologized again and told me he wished there was something he could do but his hands were tied.

On January 31, 2017, I received a call from The Program Manager at 7:00 pm The Program Manager and I spoke for approximately 20 min. The Program Manager offered several what I believe were sincere apologies. In that conversation I reminded The Program Manager that The Site Lead was falsely charging the government, and that her behavior towards me was hostile from the beginning without an obvious reason. I pointed out that I had received no official notification from the company in regards to my termination and the reason for it. The Program Manager acknowledged these facts and stated I would be hearing from HR.

February 7 2017, I received an email from FEDITC HR detailing my separation which stated the I was fired at the request of the customer. (Exhibit C)

After my dismissal FEDITC assigned a total of 8 people to research and complete the OPSCON. They were given six weeks, which was the approach I recommended.

#### Cause action #4 Breach of contract

FEDITC failed to address my concerns as it related to differential treatment by the task lead who openly committed fraud, and operated outside corporate policies and standards, policies that were given to me in the employee hand book. Those policies required reporting of violation to managers and HR without fear of reprisal. FEDITC had a duty to enforce its own policies as it relates to its employees and their conduct. Those policies are there to protect employees who are conducting themselves in an ethical and professional manner and operating within best interest of the company. The company position of "we don't want to lose the contract" so we will do nothing breach the good faith agreement between the company and myself.

Cause action #5 As an employees of a private company on a DoD contract the FAR outlines the conditions of a contract between the company and the customer. FEDITC had an obligation to address any request from the customer not in line with the contract deliverables. Which they failed to do. Additionally have any deficiencies in fulfillment of contract clauses through the contracting office. FEDITC chose not enforce the rights under the FAR, instead chose to infringe on my rights

Alex Gordon

